

No. 79

MICHIGAN SENATE

DAILY CALENDAR

WEDNESDAY, SEPTEMBER 30, 2009
9:00 a.m.

MOTIONS

1

(Consideration postponed until Friday, October 2.)

HB 4316 Rep. Lisa Brown
Torts; product liability; limitation on liability for drugs that have been approved by federal food and drug administration; rescind.
Amends sec. 2946 of 1961 PA 236 (MCL 600.2946).
I.E. House, March 26, 2009.
Motion to discharge Committee on Government Operations and Reform, Thursday, April 23.

2

(Consideration postponed until Friday, October 2.)

HB 4317 Rep. Kennedy
Civil procedure; statute of limitations; drug product liability cases previously prohibited because of FDA approval defense; allow to be commenced within 3 years after repeal of the defense.
Amends sec. 5805 of 1961 PA 236 (MCL 600.5805).
I.E. House, March 26, 2009.
Motion to discharge Committee on Government Operations and Reform, Thursday, April 23.

3

(Consideration postponed until Friday, October 2.)

HB 4318 Rep. Slavens
Consumer protection; unfair trade practices; liability for inaccurate representations concerning risks of certain drugs, medications, and supplements; clarify.
Amends secs. 2 & 3 of 1976 PA 331 (MCL 445.902 & 445.903).
I.E. House, March 26, 2009.
Motion to discharge Committee on Government Operations and Reform, Thursday, April 23.

4

(Consideration postponed until Thursday, December 31.)

SR 15 Sen. Whitmer
A resolution to amend the Standing Rules of the Senate.
Motion to reconsider motion to discharge Committee on Government Operations and Reform, Thursday, May 7.

THIRD READING OF BILLS

5

SB 216 Sen. Allen
Liquor; licenses; continuing care retirement center liquor license; create.
Amends secs. 525 & 537 of 1998 PA 58 (MCL 436.1525 & 436.1537) & adds sec. 545.
Reported by Committee on Economic Development and Regulatory Reform.
Senate substitute (S-1).
Committee recommended I.E.

6

SB 47 Sen. Kahn
Health; pharmaceuticals; prescription drug website; provide for.
Amends 1978 PA 368 (MCL 333.1101 - 333.25211) by adding sec. 9721.
Reported by Committee on Health Policy.
Committee recommended I.E.

7

SB 553 Sen. Pappageorge
Human services; services or financial assistance; communication with providers regarding eligible individuals for energy assistance programs; require.
Amends sec. 7 of 1984 PA 34 (MCL 400.1207).
Reported by Committee on Energy Policy and Public Utilities.
Senate substitute (S-1).
Committee recommended I.E.

8

SB 555 Sen. Richardville
Human services; services or financial assistance; requirement for energy assistance payments to be directed to provider; provide for.
Amends 1984 PA 34 (MCL 400.1201 - 400.1217) by adding sec. 7a.
Reported by Committee on Energy Policy and Public Utilities.
Senate substitute (S-1).
Committee recommended I.E.

GENERAL ORDERS

9

SB 35 Sen. Sanborn

Civil procedure; statute of limitations; statute of limitations and statute of repose for actions against architects, engineers, and construction contractors; revise.

Amends secs. 5805 & 5839 of 1961 PA 236 (MCL 600.5805 & 600.5839).

Reported by Committee on Judiciary.
Committee recommended I.E.

10

SB 361 Sen. Gilbert

Michigan business tax; gross receipts; phase-in of exclusion of tobacco taxes from the definition of gross receipts; eliminate.

Amends sec. 111 of 2007 PA 36 (MCL 208.1111).

Reported by Committee on Finance.
Committee recommended I.E.

11

SB 165 Sen. Barcia

Traffic control; accidents; procedure relating to obtaining crash reports; modify.

Amends secs. 621 & 622 of 1949 PA 300 (MCL 257.621 & 257.622).

Reported by Committee on Transportation.
Committee recommended I.E.

12

SB 388 Sen. Birkholz

Natural resources; other; state park, boating access site, and forest recreation passport fees; provide for distribution of revenue.

Amends secs. 2005, 2030, 2035, 74101, 74102a, 74116, 74117, 74122, 74123, 78105 & 83106 of 1994 PA 451 (MCL 324.2005 et seq.); adds secs. 1911 & 2045 & repeals secs. 1909 & 1910 of 1994 PA 451 (MCL 324.1909 & 324.1910).

Reported by Committee on Natural Resources and Environmental Affairs.

Senate substitute (S-4).

Committee recommended I.E.

13

SB 389 Sen. Basham

Natural resources; other; state park, boating access site, and forest recreation passport; create.

Amends 1949 PA 300 (MCL 257.1 - 257.923) by adding sec. 805.

Reported by Committee on Natural Resources and Environmental Affairs.

Senate substitute (S-6).

Committee recommended I.E.

14

SB 478 Sen. Sanborn

Corrections; other; report to legislature of status of offender tracking system; require.

Amends 1953 PA 232 (MCL 791.201 - 791.285) by adding sec. 7b.

Reported by Committee on Judiciary.
Committee recommended I.E.

GENERAL ORDERS

15

SB 592 Sen. Kuipers

Education; financing; certain energy contracts; allow.

Amends sec. 1274a of 1976 PA 451 (MCL 380.1274a).

Reported by Committee on Education.

Committee recommended I.E.

16

SB 325 Sen. Basham

Crimes; other; installation or use of motor vehicle tracking device; prohibit under certain circumstances and provide penalty.

Amends 1931 PA 328 (MCL 750.1 - 750.568) by adding sec. 539l.

Reported by Committee on Judiciary.
Committee recommended I.E.

17

HB 4514 Rep. Lahti

Income tax; credit; eligibility for state earned income tax credit; require taxpayer to be resident for at least 6 months.

Amends sec. 272 of 1967 PA 281 (MCL 206.272).

I.E. House, March 18, 2009.

House substitute (H-1).

Reported by Committee on Finance.

Committee recommended I.E.

18

HB 4674 Rep. Mayes

Michigan business tax; credit; credit for anchor companies based on qualified new jobs created by certain suppliers and customers; revise.

Amends sec. 431a of 2007 PA 36 (MCL 208.1431a).

I.E. House, May 5, 2009.

Reported by Committee on Commerce and Tourism.

Senate substitute (S-1).

Committee recommended I.E.

19

SB 251 Sen. McManus

Appropriations; zero budget; department of natural resources; provide for fiscal year 2009-2010.

Creates appropriation act.

Reported by Committee on Appropriations.

Senate substitute (S-1).

Committee recommended I.E.

20

HB 4507 Rep. Espinoza

Natural resources; other; counties eligible for operation of off-road vehicles on road shoulders; expand.

Amends sec. 81131 of 1994 PA 451 (MCL 324.81131).

I.E. House, March 24, 2009.

House substitute (H-1).

Reported by Committee on Natural Resources and Environmental Affairs.

Committee recommended I.E.

GENERAL ORDERS

21

HB 4327 Rep. Young
Labor; fair employment practices; unpaid leave for pregnant law enforcement officers; prohibit.
Amends sec. 202 of 1976 PA 453 (MCL 37.2202).
I.E. House, March 18, 2009.
Reported by Committee on Commerce and Tourism.
Senate substitute (S-1).
Committee recommended I.E.

22

HB 4793 Rep. Byrum
Occupations; architects, professional engineers, and surveyors; licensing exam after graduation for architectural graduates; allow.
Amends secs. 2004 & 2005 of 1980 PA 299 (MCL 339.2004 & 339.2005).
I.E. House, June 10, 2009.
House substitute (H-1).
Reported by Committee on Economic Development and Regulatory Reform.
Committee recommended I.E.

23

HB 4932 Rep. Rocca
Gaming; other; allowable value for coupons awarded in redemption games; increase.
Amends sec. 310b of 1931 PA 328 (MCL 750.310b).
I.E. House, June 2, 2009.
House substitute (H-2).
Reported by Committee on Economic Development and Regulatory Reform.
Senate substitute (S-2).
Committee recommended I.E.

24

SB 670 Sen. Richardville
Transportation; funds; Michigan transportation fund; reclassify as a trust fund and restrict disposition of interest and earnings.
Amends sec. 10 of 1951 PA 51 (MCL 247.660).
Reported by Committee on Transportation.
Committee recommended I.E.

25

HB 5086 Rep. Simpson
Economic development; renaissance zones; number of additional renaissance zones for agricultural processing facilities; increase.
Amends sec. 8c of 1996 PA 376 (MCL 125.2688c).
I.E. House, June 25, 2009.
Reported by Committee on Agriculture and Bioeconomy.
Committee recommended I.E.

26

SB 636 Sen. Kuipers
Education; other; neighborhood public schools; create in school code.
Amends secs. 5, 1204a, 1230, 1230a, 1230b, 1230c, 1230d, 1230e, 1233, 1233b, 1246, 1277, 1278, 1280 & 1311 of 1976 PA 451 (MCL 380.5 et seq.) & adds pt. 6D & sec. 1701b.
Reported by Committee on Education.
Committee recommended I.E.

GENERAL ORDERS

27

SB 637 Sen. Cassis
Education; other; school aid act changes to provide funding for neighborhood public schools; provide for.
Amends secs. 3, 6, 8b, 18, 18b, 18c, 20, 31a, 51a, 101, 169 & 169b of 1979 PA 94 (MCL 388.1603 et seq.) & adds sec. 9.
Reported by Committee on Education.
Senate substitute (S-1).
Committee recommended I.E.

28

SB 638 Sen. Birkholz
Education; teachers; exemption from teacher tenure act for neighborhood public schools as defined in revised school code; provide for.
Amends sec. 1, art. I & sec. 1, art. III of 1937 (Ex Sess) PA 4 (MCL 38.71 & 38.91).
Reported by Committee on Education.
Committee recommended I.E.

29

SB 639 Sen. Hardiman
Labor; public service employment; neighborhood public schools; provide for in public employment relations act.
Amends secs. 1 & 15 of 1947 PA 336 (MCL 423.201 & 423.215).
Reported by Committee on Education.
Committee recommended I.E.

30

HB 4161 Rep. LeBlanc
Health; pharmaceuticals; prohibition on dispensing a prescription for a controlled substance received via electronic means from a physician prescriber in a state other than Michigan; remove.
Amends secs. 7405, 17708, 17751 & 17763 of 1978 PA 368 (MCL 333.7405 et seq.).
I.E. House, June 17, 2009.
House substitute (H-1).
Reported by Committee on Health Policy.
Committee recommended I.E.

31

HB 4906 Rep. Ebli
Taxation; administration; streamlined sales and use tax administration act; provide for method to correct incorrect classification.
Amends sec. 25 of 2004 PA 174 (MCL 205.825).
Reported by Committee on Finance.
Committee recommended I.E.

32

HB 4649 Rep. Horn
Human services; services or financial assistance; communication with providers regarding eligible individuals for energy assistance programs; require.
Amends sec. 7 of 1984 PA 34 (MCL 400.1207).
I.E. House, March 31, 2009.
House substitute (H-1).
Reported by Committee on Energy Policy and Public Utilities.
Committee recommended I.E.

GENERAL ORDERS

33

HB 4650 Rep. Spade

Human services; services or financial assistance; requirement for energy assistance payments to be directed to provider; provide for.

Amends 1984 PA 34 (MCL 400.1201 - 400.1217) by adding sec. 7a.

I.E. House, March 31, 2009.

House substitute (H-2).

Reported by Committee on Energy Policy and Public Utilities.

Committee recommended I.E.

34

HB 5055 Rep. Bennett

Natural resources; inland lakes; permit conditions for marinas and other mooring structures; provide for.

Amends secs. 30101, 30102, 30103 & 30104 of 1994 PA 451 (MCL 324.30101 et seq.) & adds sec. 30106a.

I.E. House, September 15, 2009.

House substitute (H-1).

Reported by Committee on Natural Resources and Environmental Affairs.

Senate substitute (S-1).

Committee recommended I.E.

35

HB 5221 Rep. Bennett

Environmental protection; pollution prevention; laboratory recognition program; eliminate.

Repeals pt. 205 of 1994 PA 451 (MCL 324.20501 - 324.20519).

I.E. House, September 15, 2009.

Reported by Committee on Natural Resources and Environmental Affairs.

Committee recommended I.E.

36

HB 5222 Rep. Bennett

Water; other; groundwater dispute resolution program; eliminate.

Repeals pt. 317 of 1994 PA 451 (MCL 324.31201 - 324.31713).

I.E. House, September 15, 2009.

House substitute (H-1).

Reported by Committee on Natural Resources and Environmental Affairs.

Committee recommended I.E.

37

HB 5223 Rep. Bennett

Environmental protection; water pollution; water discharge fees; index to rate of inflation.

Amends secs. 3118 & 3120 of 1994 PA 451 (MCL 324.3118 & 324.3120).

I.E. House, September 16, 2009.

House substitute (H-2).

Reported by Committee on Natural Resources and Environmental Affairs.

Committee recommended I.E.

GENERAL ORDERS

38

SB 852 Sen. Birkholz

Energy; alternative sources; renewable energy and energy efficiency grant and loan program; create, and establish restricted fund.

Creates new act.

Reported by Committee on Energy Policy and Public Utilities.

Committee recommended I.E.

39

HB 4386 Rep. Johnson

Public utilities; consumer services; penalties for violation of shutoff procedures; allow commission to establish.

Amends 1939 PA 3 (MCL 460.1 - 460.11) by adding sec. 9h.

I.E. House, March 31, 2009.

House substitute (H-1).

Reported by Committee on Energy Policy and Public Utilities.

Committee recommended I.E.

40

HB 4655 Rep. Wayne Schmidt

Public utilities; consumer services; investigation of any shutoffs that result in death or serious injury; allow commission to conduct.

Amends 1939 PA 3 (MCL 460.1 - 460.11) by adding sec. 9m.

I.E. House, March 31, 2009.

House substitute (H-1).

Reported by Committee on Energy Policy and Public Utilities.

Committee recommended I.E.

41

HB 4656 Rep. Mayes

Public utilities; municipal utilities; enforcement mechanism for violations by a municipally owned utility; provide for.

Amends 1939 PA 3 (MCL 460.1 - 460.11) by adding sec. 9p.

I.E. House, March 31, 2009.

House substitute (H-2).

Reported by Committee on Energy Policy and Public Utilities.

For Senate amendment, see Senate Journal No. 75, page 1559.

Committee recommended I.E.

42

HB 4658 Rep. Neumann

Public utilities; consumer services; requirement for providers to determine whether a customer is a senior citizen; require.

Amends 1939 PA 3 (MCL 460.1 - 460.11) by adding sec. 9o.

I.E. House, March 31, 2009.

House substitute (H-2).

Reported by Committee on Energy Policy and Public Utilities.

Committee recommended I.E.

GENERAL ORDERS

43

HB 4659 Rep. Sheltroun
Public utilities; consumer services; shutoff notice requirement for municipally owned utilities; establish.
Amends 1939 PA 3 (MCL 460.1 - 460.11) by adding sec. 9n.
I.E. House, March 31, 2009.
House substitute (H-3).
Reported by Committee on Energy Policy and Public Utilities.
For Senate amendments, see Senate Journal No. 75, page 1560.
Committee recommended I.E.

44

HB 4673 Rep. Mayes
Public utilities; consumer services; public service commission rules on shutoffs; require municipally owned utilities to comply with.
Amends 1939 PA 3 (MCL 460.1 - 460.11) by adding sec. 9q.
I.E. House, March 31, 2009.
House substitute (H-3).
Reported by Committee on Energy Policy and Public Utilities.
For Senate amendment, see Senate Journal No. 75, page 1561.
Committee recommended I.E.

45

HB 5127 Rep. Simpson
Agriculture; animals; regulation of livestock animal health and welfare; provide for.
Amends 1988 PA 466 (MCL 287.701 - 287.745) by adding sec. 8a.
House substitute (H-4).
Reported by Committee on Agriculture and Bioeconomy.
Senate substitute (S-2).

46

HB 4191 Rep. Warren
Income tax; deductions; tax incentive for charitable contributions to the advance tuition payment fund; provide for.
Amends sec. 30 of 1967 PA 281 (MCL 206.30).
I.E. House, April 29, 2009.
Reported by Committee on Finance.
Senate substitute (S-1).
Committee recommended I.E.

47

HB 4629 Rep. Lipton
Michigan business tax; deductions; adjustment to business income tax base for charitable contributions made to the advance tuition payment fund under the Michigan education trust act; provide for.
Amends sec. 201 of 2007 PA 36 (MCL 208.1201).
I.E. House, April 29, 2009.
For House amendment, see Senate Journal No. 35, page 730.
Reported by Committee on Finance.
Senate substitute (S-1).
Committee recommended I.E.

GENERAL ORDERS

48

HB 5126 Rep. McDowell
Mental health; community mental health; provision relating to carryforward of operating margin; eliminate sunset.
Amends sec. 226 of 1974 PA 258 (MCL 330.1226).
I.E. House, September 25, 2009.
Rules suspended, placed on General Orders, Tuesday, September 29.

RESOLUTIONS

49

SR 41 Sen. Cropsey
A resolution to urge the Michigan Department of Corrections to implement nondenominational prison congregation programs within our prisons.
Reported by Committee on Judiciary.
For text of resolution, see Senate Journal No. 32, page 591.
Adoption pending.

50

SR 75 Sen. Patterson
A resolution to extend subpoena power to the Senate Judiciary Committee.
Motion to suspend rules postponed, Wednesday, August 26.
For text of resolution, see Senate Journal No. 65, page 1325.
Rules suspension pending.

COMMITTEE REPORTS

51

HB 5100 Rep. Clemente
State financing and management; funds; Michigan strategic fund 21st century investments; clarify expenditures and use of administrative fees.
Amends sec. 88b of 1984 PA 270 (MCL 125.2088b).
I.E. House, June 25, 2009.
Reported by Committee on Commerce and Tourism.
Senate substitute (S-2).
Committee recommended I.E.
Refer to Committee of the Whole pursuant to Rule 3.701.

SCHEDULED MEETINGS

Appropriations - Wednesday, September 30, 2:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-6960)

SCHEDULED MEETINGS**Conference Committee -**

Transportation - Wednesday, September 30, 8:30 a.m., Senate Hearing Room, Ground Floor, Boji Tower (373-2768)

Legislative Retirement Board of Trustees - Thursday, December 3, 2:00 p.m., Room H-252, Capitol Building (373-0575)

SCHEDULED MEETINGS**Subcommittee -**

Medicare - Wednesday, September 30, 3:00 p.m., Room 927, South Tower, House Office Building (373-0575)

BILLS IN CONFERENCE

Bill No.	Brief Title	Conferees		Report Agreed to	
		Senate	House	Senate	House
SB 237	Appropriations; zero budget; department of agriculture; provide for fiscal year 2009-2010.	Brown Jelinek Scott	Espinoza McDowell Lori	9/25/2009	9/25/2009
SB 243	Appropriations; zero budget; department of energy, labor, and economic growth; provide for fiscal year 2009-2010.	Jansen George Scott	Hammel Switalski Rogers	9/24/2009	9/25/2009
SB 245	Appropriations; zero budget; general government; provide for fiscal year 2009-2010.	Pappageorge Jansen Cherry	Durhal Cushingberry Rogers	9/29/2009	
SB 247	Appropriations; zero budget; department of history, arts, and libraries; provide for fiscal year 2009-2010.	George Brown Clark-Coleman			
SB 248	Appropriations; zero budget; department of human services; provide for fiscal year 2009-2010.	Hardiman Kahn Scott	Spade Tlaib Agema	9/29/2009	
SB 249	Appropriations; zero budget; judiciary; provide for fiscal year 2009-2010.	Cropsey Kahn Brater	Tlaib Terry Brown Schuitmaker	9/24/2009	9/25/2009
SB 250	Appropriations; zero budget; department of military and veterans affairs; provide for fiscal year 2009-2010.	Garcia Cropsey Barcia	LeBlanc Espinoza Genetski	9/24/2009	9/25/2009
SB 253	Appropriations; zero budget; department of state police; provide for fiscal year 2009-2010.	Garcia Cropsey Barcia	LeBlanc Espinoza Genetski		
SB 254	Appropriations; zero budget; department of transportation; provide for fiscal year 2009-2010.	Hardiman Cropsey Anderson	Gonzales LeBlanc Agema		
SB 290	Economic development; brownfield redevelopment authority; eligibility requirements; modify.	Allen Gilbert Clarke			
SB 293	Economic development; renaissance zones; eligibility requirements; modify.	Allen Gilbert Clarke			
SB 295	Economic development; obsolete property and rehabilitation; obsolete property rehabilitation act; modify eligibility requirements.	Allen Gilbert Clarke			

BILLS IN CONFERENCE

Bill No.	Brief Title	Conferees		Report Agreed to	
		Senate	House	Senate	House
SB 296	Michigan business tax; other; historic preservation tax credit preferences and penalties under certain circumstances; provide for.	Allen Gilbert Clarke			
HB 4083	State financing and management; funds; strategic fund; modify eligibility requirements.	Allen Gilbert Clarke			
HB 4089	Economic development; Michigan economic growth authority; eligibility requirements; modify.	Allen Gilbert Clarke			
HB 4092	Economic development; other; industrial development revenue bond act; modify eligibility requirements.	Allen Gilbert Clarke			
HB 4093	Economic development; plant rehabilitation; eligibility requirements; modify.	Allen Gilbert Clarke			
HB 4094	Economic development; other; transportation economic development fund; modify eligibility requirements.	Allen Gilbert Clarke			
HB 4435	Appropriations; community colleges; community and junior colleges; provide for fiscal year 2009-2010.	Hardiman Garcia Clark-Coleman	Miller Bauer Booher		9/23/2009
HB 4436	Appropriations; community health; department of community health; provide for fiscal year 2009-2010.	Kahn Pappageorge Cherry	McDowell Hammel Green		
HB 4437	Appropriations; corrections; department of corrections; provide for fiscal year 2009-2010.	Cropsey Kahn Brater	Smith Durhal Proos		
HB 4438	Appropriations; education; department of education; provide for fiscal year 2009-2010.	Jelinek Brown Switalski	Terry Brown Cushingberry Moss		9/29/2009
HB 4441	Appropriations; higher education; higher education; provide for fiscal year 2009-2010.	Stamas George Barcia	Bauer Cushingberry Caul		
HB 4446	Appropriations; natural resources; department of natural resources; provide for fiscal year 2009-2010.	McManus Jelinek Brater	Lahti Espinoza Booher		
HB 4447	Appropriations; school aid; school aid appropriations; provide for fiscal year 2009-2010.	Jelinek Brown Switalski	Terry Brown Cushingberry Moss		